

CASE

OF

CHRISTOPHER

One of the MEMBERS of the Honourable

HOUSE of COMMONS.

SIR *Thomas Dutton*, a Protestant, being seized of a considerable Real Estate in the Counties of *Longford* and *Leitrim* in the Year 1634 made a Settlement of his Estate upon his Three Sons, *Charles*, *William*, and *Thomas Dutton*, in Tayle male, and for want of such Issue, to his Niece *Anne Wagon*, Grandmother of the said *Christopher Hewetson*, and to the Heirs of her Body.

Thomas, the youngest Son, dyed seized of the said Estate about the Year 1660. without Issue, his two Elder Brothers sometime before dying Issue less, whereby the Remainder Attached and Vested in the Petitioner's Grand Mother, to whom the Petitioner is Heir at Law, and Issue inheritable by the said Settlement.

Sir George Lane, afterwards Lord *Lanesborough*, being Secretary of State in this Kingdom, and a Man of Industrious management, procured a Clause in the Act of Settlement for the confirming the said Estate to Him and his Heirs; his pretence then being, That he was a Purchaser thereof from *Thomas* Son of *Sir Thomas Dutton*. Whereas the Estate of *Sir Thomas Dutton* was never Seized & Sequester'd, nor any way fell under the disposition of that Act, or the Act of Explanation, being the Estate of Protestants and never Forfeited by them.

That notwithstanding the said *Sir George Lane's* Claim to the Premises was as a Purchaser from a Protestant. Yet by the great Influence he had over the Commissioners of Claims he procured a Certificate that the Premises were Seized and Sequester'd contrary to his own Claim, and thereupon passed Attent, and ever since has shelter'd himself under the security of those Acts.

Since therefore the Fraud put upon the late Commissioners of Claims, and the Wrong to the Petitioner can be most evidently prov'd, and particularly in this instance, That the said Estate to this day never paid Quit-Rent, nor is chargeable with the same, being never Seiz'd or Sequester'd.

* And further it can be made to appear, That one of the late Lord *Lanesborough's* pretended Deeds bears date about Four Years after the Death of *Thomas Dutton*, under whom the said Lord derives his Title.

* What therefore the said Petitioner desires, is, That his Right may not be Barr'd by the General and Confirming Words of the Intended Bill for Confirmation of the Acts of Settlement and Explanation; but that his Title to the Premises may be sav'd, and he left in no worse condition than now he is, in as much as the Petitioner's Mother has already obtain'd a Judgment at Law for part of the Premises, and your Petitioner is now pressing his Title at Law for the residue.

Le solds 9/40

